

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Felix Raymond Montez,

Plaintiff,

vs.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

Civ. No. 08-634 (PJS/RLE)

* * * * *

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

That the Defendant's Motion to Dismiss [Docket No. 6] is granted.

DATED: January 9, 2009

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge